

REMARKS

In the Office Communication dated June 27, 2006, the Examiner issued a restriction requirement requiring Applicants to elect one of the following groups:

- I. Claims 1-14, 22-25, 32, 33 and 35, drawn to a method of analyzing the efficiency of a polymerase chain reaction, involving the estimation of a slope of dependence of a logarithm of the signal on cycle number, classified in class 702, subclass 86;
- II. Claims 15-21 and 34, drawn to a system which performs an analysis of a polymerase chain reaction, classified in class 702, subclass 86; and
- III. Claims 26-31, drawn to a method of calculating the initial load of a biological product, classified in class 435, subclass 91.2.

The Examiner has further restricted Group III to two additional subgroups of distinct species as set forth in the Office Action on page 3.

In response, the Applicants provisionally elect to pursue prosecution of Group II which includes at least claims 15-21 and 34. In view of the Supplemental Preliminary Amendment filed herewith, new dependent claims 36 and 37 have been added which depend directly and indirectly respectively from base claim 15 of Group II, and are believed to read upon this group. As such, provisionally elected Group II is now believed to include at least claims 15-21, 34, 36 and 37.

The Applicants respectfully submit that: (1) all groups of claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the restriction/election requirement should be withdrawn and an action on the merits of all the claims is respectfully solicited.

In the Alternative, at least with respect to Groups I and II, both groups have been classified by the Examiner as being in class 702, and as such undue diverse searching should not

be required. Accordingly, at the least, the Applicants believe that Groups I and II should be considered together.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4586-4001. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4586-4001. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
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Dated: August 25, 2006

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